

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TRACEY WHITE, et al.,)
)
Plaintiffs,)
)
vs.) Cause No. 14-cv-01490-HEA
)
THOMAS JACKSON, et al. ,)
)
Defendants.)

VIDEO DEPOSITION OF WILLIAM DAVIS

Taken on behalf of the Defendants
RYAN, McCOY, McCANN, BELMAR, and ST. LOUIS COUNTY

September 29, 2015

Reported by: Christine A. LePage, CCR #1000

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1 A I just read what the paper had said.

2 Q Okay. So in answer to the question, you looked
3 over some paper a little bit?

4 A Yes, sir.

5 Q And what was that paper that you looked over a
6 little bit?

7 A My interrogatories.

8 Q Interrogatories?

9 A Yeah, yes, sir, that's what I meant.

10 Q Were those your answers to interrogatories?

11 A Yes, sir, those were my answers.

12 Q Did you look over anything else other than your
13 answers to interrogatories?

14 A No, sir, that's it.

15 Q Okay. And do you -- Let's see, tell me about
16 yourself a little bit. Do you --

17 A Okay. So I go to Hazelwood Central High School,
18 I'm a senior, and I live at 6720 Lakeside Hills Drive in
19 Florissant.

20 Q You live with your mother?

21 A Yeah. Yes, I live with my mother and my father
22 and my two little sisters.

23 Q Okay. And your father is Mohamed Sheriff; is
24 that it?

25 A Yes, sir.

1 off me and my mother at the end of the street right by the
2 burnt down QuikTrip. And then me and my mother was
3 walking down the street to the peace rally to see what was
4 going on. And then after that some officers had came over
5 there and disturbed the peace rally. And then after a
6 while like things started getting -- like getting heated,
7 we had left from that area, and we continued to walk down
8 the street to the McDonald's.

9 And then when me and my mother had got to the
10 McDonald's, she ordered two drinks and a McChicken for me,
11 and then we had sat down for a little bit and we talked,
12 and then I had left, I had went to the rest room. And
13 then I had came back, and I told my mother that I wanted
14 some ice cream, so she gave me her debit card, and then I
15 went up there to the counter and I waited for a little
16 bit, and then I ordered me an ice cream sundae.

17 And then when I came back, my mother had told me
18 that her phone had went dead and she was trying to reach
19 out to my stepdad to see where he was at to come pick us
20 up. And then she had looked, and then I stayed in there
21 and I continued to eat my food and stuff.

22 And then after about an hour or so, a swarm of
23 SWAT members and like police officers had burst into the
24 McDonald's, and then I guess the leader of the swarm, he
25 had told everybody to get the hell up, and then he was --

1 he was saying like this McDonald's is not cooperating
2 right, this and that, just saying like real bad things
3 about that McDonald's.

4 And then so I decided to listen to him, get my
5 stuff. And then but like as I was walking out, I was a
6 little startled because I was trying to figure out what
7 was going on at first to see if they was pushing us out of
8 nowhere or if they just wanted us to go, like walk off
9 somewhere, so I was just looking around, walking around
10 the McDonald's.

11 So I got my stuff and then I had walked out, and
12 my mother was standing right there by the door talking to
13 this other SWAT member that had on all black. And then I
14 had walked out the McDonald's with my mother, and then we
15 had walked across the McDonald's parking lot.

16 So we was walking to our right, and I turned my
17 head, and I saw a group of police officers and like SWAT
18 members in like different colored uniforms like forming a
19 line, like drawing out sticks and stuff. And then we
20 continued to walk to our right, and then we just stood
21 there at first to figure out what was going on.

22 And then the SWAT members, they started to push
23 us forward, they told us to move, so we started to move,
24 and we were just continuing to walk. So like they still
25 pushing us backward in this neighborhood that we didn't

1 belong in, and he kept pushing us back.

2 And then we had stopped for like -- for a little
3 bit, we had stopped like several times. The first time we
4 stopped because the officers had told us to stop, I don't
5 know why, but they just told us to stop one time. And
6 then the second time we walked again and then we stopped
7 again, and then we walked and we stopped again, but the
8 third time we stopped, we stopped because there was a
9 truck that got stuck, this man had -- I guess he -- I
10 think he had like ran into a pole or something like that,
11 but his car was stuck in grass and he was trying to move
12 his truck, and the officer just told him to get out of the
13 car and just leave it there. So he just hopped out the
14 car and his truck was there.

15 And then we continued to move forward. And then
16 I turned my head, because I was trying to figure out where
17 my mother was at, because like it was like a bunch of
18 people walking with us, and I saw my mother getting locked
19 up. And then she calls me over to get my iPad, so I
20 walked over there to get it, and then as I got it, the
21 officer, "Okay, so you're coming with us, too." So he
22 just -- like he grabbed me by my -- on my shoulder and he
23 turned me around, and then he put -- he put some
24 plastic -- some plastic cuffs around me.

25 But before he did that, I had food in my hand,

1 and then when I told him this is my food, sir, he smacked
2 my ice cream cone out of my hand, and then he shoved me,
3 like turned me around, and he put the plastic handcuffs on
4 me. Then after that I just followed to a car.

5 And after we -- After we got -- I mean, after I
6 got to the car, I had gotten to a car, and then after a
7 while a paddy wagon had pulled up, and then I had got out
8 of that car and then I had -- officer had got me and he
9 had put me in the back of the bandwagon.

10 And then I looked, and he -- he grabbed my
11 mother and he put her in like the front of the -- like in
12 the front of the bandwagon, but not like in the front,
13 like where the passenger seat is. And then the officer,
14 he drove off.

15 And after the car was moving, it was like -- it
16 was really hot and like congested inside of the bandwagon,
17 and I looked, I had looked up above me and I saw like a
18 little vent, and it was too small for me to like breathe
19 through, and I was sweating, my -- like my eyes started
20 rolling back, I couldn't breathe for real, I started
21 hyperventilating, my breathing was kind of off, or like it
22 was really off. And my mom, like she looked, and she saw
23 that I wasn't doing too well back there, and it looked
24 like I was about to faint, so she -- like she was knocking
25 her head against the glass, since the officer was sitting

1 in the front, and he was unaware of it, and then he looked
2 and he saw me not doing so well back there, so he pulled
3 up at this -- he pulled up at the Target parking lot and
4 then he got out the car, and I guess it was like an
5 ambulance like nearby, because he didn't call the
6 ambulance or nothing, it was just an ambulance I guess
7 that was just sitting there.

8 And then he got out the car and then he opened
9 up the back and he helped me out the car. And then after
10 that he walked me to the ambulance, and the ambulance
11 members, they asked him if he could take the plastic cuffs
12 off me so it could be easier to deal with my health
13 problems.

14 And then after that, like as soon as I got
15 inside the ambulance, one of the ambulance assistants, he
16 had asked me like how I was doing, how was my day and
17 stuff, and then he asked me like what's the issue, am I
18 healthy and stuff, and I told him I couldn't breathe
19 really. So he checked my blood pressure and then he gave
20 me a cup of water and then checked my breathing.

21 And after that he was looking at my wrists, and
22 like my wrists were like really red and they started to
23 bleed a little bit, like around my wrists right here,
24 (indicating). And after that they treated it, like they
25 cleaned it up and stuff. And then after that got done, I

1 walked back to the bandwagon, and my mother was talking to
2 the other ambulance members to see about my insurance and
3 stuff like that.

4 Q About my what?

5 A About my insurance. And then she -- she had
6 asked them to see if he could talk -- yeah, to see if they
7 could talk to the officer to see if he could put the
8 handcuffs in a different position, in front of me instead
9 of in back of me, because in back of me was affecting my
10 breathing problems, in which he did. Instead of the
11 plastic handcuffs, he had put on some real handcuffs in
12 front of me. Then after the officer put the handcuffs on
13 me, he put me back inside the paddy wagon, and then he
14 continued to drive off to the police station.

15 I don't know how long we was driving, but it
16 took a little while, and then we got there. And then I
17 got out of the car and then my mother got out of the car
18 and then we followed him. Then once we got inside they
19 had booked me.

20 So I went inside, took off my shoes, my belt and
21 all that stuff, my shoe strings, all that stuff. And then
22 after I got done with that process, I had walked to a
23 different area, and this lady was asking me like how much
24 I weigh, what's my ethnicity, what school I go to, stuff
25 like that, asking me common questions. And then after

1 Q Okay. So when you say you didn't belong to the
2 area, that was a street you weren't familiar with; is that
3 what you mean?

4 A Yes, sir, yeah, that's exactly what I mean.

5 Q Okay. Now, when you say "we," you're not
6 talking about just you and your mom only, you're talking
7 about a group; is that correct?

8 A Yes, sir.

9 Q Okay. And how large was the group?

10 A I'm not sure, but it was a lot of people.

11 Q Okay. There was a group consisting of a lot of
12 people that were being moved by police?

13 A Yes, sir.

14 Q And they were being moved up to some street that
15 you were not familiar with?

16 A That's true.

17 Q And while you were being moved to the right up
18 the street, to a street you were not familiar with, was
19 your mom then saying anything to the police that you
20 recall?

21 A Well, at the time me and her was just following
22 directions, just listening to what the officers was
23 telling us to do, so we just continued to walk up the
24 street, but my mom, she kept on trying to talk to the
25 officers, telling them that we -- that we didn't belong to

1 the area and that what should we do. And then she was
2 trying to tell them that we was trying to stand on the --
3 at the end of that street where the McDonald's was at to
4 wait for my stepdad to come pick us up, but the officers
5 wasn't listening, so they kept pushing us backward to that
6 neighborhood that we didn't belong to.

7 And then after a while we kept walking, and then
8 we stopped a few times, like I told you earlier, and we
9 stopped different times, because one time the officer
10 said, "All right, stop," and then we just stood there for
11 about two minutes, and then we moved -- they had moved us
12 again, and then we walked, and then we stopped again, and
13 the third time we stopped it was a truck right there,
14 because a man had got his truck stuck, he was trying to
15 move it, and the man -- I guess he was taking a while to
16 move his car, and the officer, he got upset, he told him
17 to get out of his car and leave it there. So he just left
18 his truck there.

19 And then we continued to walk, and then my
20 mother was still trying to talk to the officers, like
21 telling him that we need to go home, my husband is trying
22 to come pick me and my son up.

23 And then after that one of the officers, he
24 just -- I guess he just got upset and got an attitude and
25 he just locked my mother up. But as he was locking her

1 up, she was telling me -- she was calling me over to get a
2 CNN card from her and to come over there and get my iPad.
3 And then as I was walking over there to retrieve my iPad
4 and CNN card, the officer, he said, "All right, then, we
5 taking you in, too." So after he said that, I had my ice
6 cream in my hand, and he smacked my ice cream out of my
7 hand, and then he turned me around and then he put -- he
8 had put the plastic cuffs on me.

9 Q You watched a video of your mom; is that
10 correct?

11 A Yes, sir. And also, too, about that video --
12 MR. LATTIMER: The question was did you watch
13 the video.

14 A Yes, sir.

15 Q (by Mr. Hughes) What did you want to say about
16 the video?

17 A I was going to say that that video that I saw,
18 too, that video was chopped up. They didn't show
19 everything that happened in that video during that time
20 when I was there at the Ferguson area, because it's like
21 it's some parts that are cut off showing the officer
22 smacking the ice cream out of my hand and showing him like
23 jerking me, turning me behind, and putting on the --
24 putting on the plastic cuffs.

25 Q Did you see your mom arrested?

1 Q Okay. And why did you say that right now?

2 A I said that because at the time when I got
3 arrested I was thinking about a lot of stuff, I was
4 worried, I was stressing out, I didn't know what was going
5 on, I was scared and nervous, and I just -- I just
6 couldn't believe that I got arrested, and I have never
7 been arrested in my whole life, and then I was sent to
8 jail, and then when I was in the room with all them men, I
9 was just shocked, and I was, oh, my God, what's going to
10 happen to me in this room, I don't know.

11 Q When you spoke with the EMT, were you given any
12 medication or inhalers?

13 A What do you mean by EMT?

14 Q I think you mentioned that at one point when the
15 driver looked back and said you weren't doing so well, in
16 your words --

17 A Yes, sir.

18 Q -- were you seen by a paramedic or an EMT on the
19 scene?

20 A Oh, yes, sir, I was. Like when I was talking to
21 Mr. -- what's it -- I mean, Hughes, right?

22 Q The attorney, Mr. Hughes, to my left?

23 A Yes, sir, yeah, when I was talking to
24 Mr. Hughes, I told him that at the moment when the officer
25 had pulled up at the Target police station, I mean, at the

1 out of jail that day, I had came to school one day --
2 well, during that whole week I was very humiliated and
3 embarrassed, because the kids at school and the teachers,
4 the kids, they all talking about me, "Oh, you a criminal,
5 I saw you on STL Mugshots, I don't want to work with you,
6 you probably kill somebody," but I did none of that stuff.

7 Because when I was in English class, we was
8 doing a group assignment, and I was trying to join in one
9 group, and a girl said, "Oh, I can't work with a criminal,
10 because I seen you on STL Mugshots." And I was like,
11 "Well, you don't know nothing about it, so why would you
12 just say I'm a criminal?" So I was very emotional about
13 that that day and stressed out about that like throughout
14 that whole week, there was kids talking about me and stuff
15 calling me a criminal and stuff like that.

16 Q Did you say something about they didn't know
17 whether -- how severe the crime was, or they thought
18 maybe -- did you -- I don't know if I caught that, it was
19 your answer to my question, did you ever mention like
20 murderer or something like that?

21 A Oh, yes, sir, yeah, one of the kids thought I
22 had killed somebody or murdered somebody, I told him no, I
23 didn't. And then somebody said refusal to disperse, and I
24 said I don't want to talk about it, and then one of the
25 kids, they was just blurting out stuff, talking about,